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In re Application of:
Anderton et al.
Serial No.: 08/716,169
Filed: December 17, 1996
Attorney Docket No.: 961125

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on September 20, 2005, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed February 10, 2005.

A review of the file history shows that the examiner mailed an Office action to applicant on February 10, 2005, setting a three-month statutory time period for reply. On August 23, 2005, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a timely response to the Office action was filed on July 8, 2005, as evidenced by the Certificate of Mailing date of July 8, 2005; and received by the USPTO on July 12, 2005, as evidenced by the return receipt stamped postcard identifying the papers filed.

In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. This application will be forwarded to the examiner for consideration of the Response of July 8, 2005.

As the response was filed within 5 months of the Office action of February 10, 2005, a two-month extension of time is necessary. Applicants' Deposit Account No. 23-0650 will be charged the appropriate amount.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or facsimile at 703-872-9306.

Jasemine Chambers
Director, Technology Center 1600